

## Fetal Alcohol Spectrum Disorders Legislation by State 2004-2005 Legislative Sessions (As of October 2005)

This report updates the SAMHSA FASD Center's May 2005 report on legislation related to fetal alcohol spectrum disorders (FASD). It includes legislation introduced or passed as of October 2005. The Center compiled the data using the following search terms.

Search Terms	
Alcohol-Related	Drug Exposed
Alcohol-Related Neurological Disorder	Fetal Alcohol Syndrome
Alcohol-Related Neurodevelopmental Disorders	Fetal Alcohol Spectrum Disorders
Alcohol Consumption During Pregnancy	Prenatal Alcohol Exposure

The Center has identified 63 FASD-related bills that have been introduced since 2003, distributed across 27 States. Of those, 31 were introduced or passed in 2005. The States follow.

States With FASD-Related Legislation Introduced in 2005		
Alaska	Maryland	North Carolina
Arizona	Minnesota	Oregon
Colorado	Missouri	Pennsylvania
Delaware	Montana	Rhode Island
Hawaii	Nevada	South Carolina
Illinois	New Hampshire	Utah
Indiana	New Jersey	Virginia
Kentucky	New Mexico	Washington
Louisiana	New York	Wisconsin

The FASD-related bills identified in this report are separated into four categories:

1. General FASD Information, including definitions and birth registries (8 bills)
2. Legal Affairs, including evidence constituting neglect, relinquishment of care of an infant, and removal of a child (12 bills)
3. Prevention and Intervention Services, including research, public information and awareness, treatment for women, and intervention with individuals with an FASD (38 bills)
4. Requirements for Professionals, including teacher certification, physician licensing, and reporting requirements (5 bills)

State legislatures continue to respond to the societal cost of FASD by emphasizing prevention and intervention services. State legislative actions range from calling for coordinated State FASD efforts to requiring FASD information to be given to persons applying for marriage licenses. The table below indicates the number of laws introduced or passed within each category. The data are aggregated by the year in which the bill was introduced.

Type of Bill	2003	2004	2005	Total
General FASD Information	3	2	3	8
Legal Affairs	1	4	7	12
Prevention and Intervention Services	6	13	19	38
Requirements for Professionals	0	3	2	5
Total	10	22	31	63

The table below includes information on FASD State legislation introduced or passed between 2003 and 2005. The language of the legislation appears verbatim and has not been edited. Language related to prenatal alcohol exposure has been underlined.

State	Bill Number	Category	Description	Introduced	Status
AK	HB67	Prevention and Intervention Services	The Department of Health and Social Services will establish specific "evidence based" prevention programs at the community level through a competitive Request for Proposal (RFP). The department will also develop a clear plan for evaluation and program outcomes to better document the successes of Alaska's prevention efforts. The Plan must be presented to the Legislative Budget and Audit Committee prior to the beginning of the 2006 legislative session, or to the House and Senate Finance Committees by February 1, 2006 for approval. Upon approval of the Plan, up to \$2,000,000 in TANF Bonus award funding may be made available for alcohol and drug program expansion. The amount of the funding will be prorated based on timing and realistic use of funds. AK Fetal Alcohol Syndrome Program \$6,424,400	2005	Passed on 5/24/2005

State	Bill Number	Category	Description	Introduced	Status
AZ	H2024	General FASD Information	Concerns Child Protective Services; revises neglect, abuse and investigation definitions and records treatment; changes dependency and parental rights procedures; makes determination of what constitutes neglect of a child which may include drug or alcohol abuse of the child's parent, guardian or custodian or the use by the mother of a dangerous drug, a narcotic drug or <u>alcohol during pregnancy</u> if at birth or within a year after birth the child is demonstrably adversely affected by this use; prohibits public access to juvenile chemical dependency evaluations and records.	2003	Enacted 12/18/2003
CO	H1024	General FASD Information	Concerns child care, and in connection with child care, making modifications to certain statutes affecting foster care child placement agencies; defines medical foster care which provides home-based care for medically fragile children and youth impacted by <u>prenatal drug and alcohol abuse</u> .	2003	Enacted 5/22/2003
DE	HB75	Prevention and Intervention Services	Section 1769A. Requires that written and <u>verbal warnings be given to pregnant patients relating to the dangerous effects of alcohol</u> , cocaine, marijuana, heroin, and other narcotics on a pregnancy.	2005	Sent to House Policy Analysis and Government Accountability Committee on 3/16/2005

State	Bill Number	Category	Description	Introduced	Status
HI	HB1031 SB634	Prevention and Intervention Services	Appropriates \$100,000 in both fiscal years 2003-2004 and 2004-2005 for two counselors on Maui to treat women incarcerated on drug-related charges. The bill quotes statistics for births affected by maternal substance abuse and the societal cost of <u>fetal alcohol syndrome</u> as part of its consideration in making the appropriation.	2003	Carried over to 2004 regular session 8/21/2003
HI	HCR141 HR98 SCR76 SR36	Prevention and Intervention Services	Requesting the Department of Health to establish a coordinated statewide effort to address <u>Fetal Alcohol Spectrum Disorder</u> .	2004	Adopted 4/16/2004
HI	SB554 SB1469 HB1127 HB1304 SB1247	Prevention and Intervention Services	SECTION 2. Section 572-5, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:  “(d) The department or its authorized agents shall furnish to each applicant for a marriage license a brochure explaining rubella, the risks of infection with rubella during pregnancy, and how to seek testing and immunization. The department or its authorized agents shall also furnish to each applicant for a marriage license information, to be provided by the department, relating to parenting, the divorce litigation process, including the availability and benefit of alternative dispute resolution processes, population stabilization, family planning, birth control, <u>fetal alcohol</u> and drug syndromes, and acquired immune deficiency syndrome (AIDS), including the availability of anonymous testing for HIV infection at alternate test sites; provided that such information is available.”	2005	SB554 in committee as of 2/7/2005 SB1469 in committee as of 3/24/2005 HB1127 in committee as of 1/31/2005 HB1304 transmitted to Governor 5/5/2005 SB1247 in committee as of 2/4/2005

State	Bill Number	Category	Description	Introduced	Status
IL	SB1889	Prevention and Intervention Services	Amends the Alcoholism and Other Drug Abuse and Dependency Act. Requires the Department of Human Services to design and implement an ongoing statewide campaign to raise public awareness about fetal alcohol syndrome and other effects of prenatal alcohol exposure. Provides that the campaign must include pamphlets that describe the causes and effects of Fetal Alcohol Syndrome and provides that the Department must distribute the pamphlets free of charge.	2003	Re-referred to Rules Committee 3/14/2003
IL	HB1629	Prevention and Intervention Services	With each marriage license, the county clerk shall provide a pamphlet describing the causes and effects of <u>Fetal Alcohol Syndrome</u> .	2003	Defeated 3/18/2003
IL	HB7043	Legal Affairs	The Juvenile Court Act of 1987 is amended by changing Section 2-18 as follows: ...proof that a minor has a medical diagnosis of <u>Fetal Alcohol Syndrome</u> is prima facie evidence of neglect.	2004	Vetoed by Governor 8/9/2004
IL	HB254	Legal Affairs	The Children and Family Services Act is amended by changing section 9.4 as follows:  In any hearing under this Act, the following shall constitute prima facie evidence of abuse or neglect, as the case may be: ...proof that a minor has a medical diagnosis of <u>fetal alcohol syndrome</u> is prima facie evidence of neglect....	2005	Tabled 2/3/2005

State	Bill Number	Category	Description	Introduced	Status
IL	HB248	Legal Affairs	The Juvenile Court Act of 1987 is amended by changing Sections 2-10 and 2-18 as follows: In any hearing under this Act, the following shall constitute prima facie evidence of abuse or neglect, as the case may be:...proof that a minor has a medical <u>diagnosis of fetal alcohol syndrome</u> is prima facie evidence of neglect....	2005	Re-referred to Rules Committee 4/15/2005
IN	SB188	General FASD Information	Birth problems registry and cancer registry. Allows the state department of health to record certain nonmalignant tumors and diseases in the cancer registry. Requires ambulatory outpatient surgical centers and health facilities to report to the cancer registry. Changes the date by which the state department must publish an annual report to December 31. Includes pervasive developmental disorders and <u>Fetal Alcohol Spectrum Disorders</u> as birth problems and requires these disorders to be recorded in the birth problems registry if recognized in a child before the child is five years of age.	2004	Enacted 3/16/2004 (effective July 1, 2004)

State	Bill Number	Category	Description	Introduced	Status
IN	House Enrolled Act No. 1398	General FASD Information	<p>The state department shall establish a birth problems registry for the purpose of recording all cases of birth problems that occur in Indiana residents and compiling necessary and appropriate information concerning those cases, as determined by the state department, in order to: (1) conduct epidemiologic and environmental studies and to apply appropriate preventive and control measures; (2) inform the parents of children with birth problems:</p> <p>(A) at the time of discharge from the hospital; or</p> <p>(B) if a birth problem is diagnosed during a physician or hospital visit that occurs before the child is:</p> <p>(i) except as provided in item (ii), three (3) years of age at the time of diagnosis; or</p> <p>(ii) five (5) years of age at the time of diagnosis if the disorder is a pervasive developmental disorder or a <u>fetal alcohol spectrum disorder</u></p>	2005	Signed by the Governor



State	Bill Number	Category	Description	Introduced	Status
KY	HB260	General FASD Information	As used in KRS 200.650 to KRS 200.676, unless the text requires otherwise: “Diagnosed physical or mental condition that has a high probability of resulting in developmental delay” or “established risk diagnosis” means a condition that typically results in developmental delay, including but not limited to chromosomal abnormalities, genetic or congenital disorders, severe sensory impairments, including hearing and vision, inborn errors of metabolism, disorders reflecting disturbance of the development of the nervous system, congenital infections, disorders secondary to exposure to toxic substances, including <u>Fetal Alcohol Syndrome</u> , and severe attachment disorders.	2004	Sent to Health and Welfare Senate Committee 2/18/2004
KY	HB56 SB222	Prevention and Intervention Services	The General Assembly finds and declares that the goals for public health as expressed by the Department for Public Health in its report, Healthy Kentuckians 2010, are laudable goals, and the policies of the Commonwealth should be directed to work toward these goals, including but not limited to the following... <u>Substantially reduce the number of cases of fetal alcohol spectrum disorder (FASD)</u> ....	2005	HB56 introduced to Education Committee 2/17/2005  SB222 introduced to Education Committee 2/15/2005

State	Bill Number	Category	Description	Introduced	Status
LA	H243	Legal Affairs	Enacts safe haven relinquishment provisions for newborn infants whereby any parent may relinquish the care of an infant to the state without prosecution; provides that an act of relinquishment constitutes parental consent for the purposes of examining and testing if the infant suffered <u>fetal exposure to alcohol or drugs</u> .	2003	Enacted 6/27/2003
MD	HB1270	Prevention and Intervention Services	Task Force to Study the Prevention of Fetal Alcohol Syndrome. Creates a task force to jointly with the Department of Health and Mental Hygiene, identify certain at-risk individuals and groups, review and coordinate certain State programs related to <u>Fetal Alcohol Syndrome, and develop guidelines for the creation of a certain campaign related to Fetal Alcohol Syndrome</u> . Requiring the Task Force to submit a certain report to the Governor and certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Prevention of Fetal Alcohol Syndrome.	2004	Assigned to House Committee on Health and Government Operations 2/13/2004
MD	HB1273	Requirements for Professionals	Teachers – Certification – Fetal Alcohol Spectrum Disorders Course Credit. For the purpose of requiring the State Superintendent of Schools and the Professional Standards and Teacher Education Board to require certain applicants for a teacher's certificate to complete a certain number of semester hours covering <u>Fetal Alcohol Spectrum Disorders</u> and to determine the number of minimum semester hours covering Fetal Alcohol Spectrum Disorders required for a teacher's certificate.	2004	Assigned to Ways and Means; received an unfavorable report 3/27/2004

State	Bill Number	Category	Description	Introduced	Status
MD	HB1274	Prevention and Intervention Services	Public Health – Fetal Alcohol Syndrome Prevention – Public Awareness Campaign. For the purpose of requiring the secretary of health and mental hygiene, in collaboration with other State agencies, to establish and promote a statewide public information, awareness, and education campaign relating to the prevention of <u>Fetal Alcohol Syndrome</u> ; providing for the components of the campaign; authorizes the Secretary to use specified resources to carry out the provisions of the Act.	2004	Assigned to the Senate Committee on Education, Health and Environmental Affairs 3/30/2004
MD	HB1114	Requirements for Professionals	State Board of Physicians – Licensing and Continuing Education Requirements. For the purpose of requiring physicians to complete a course or program on <u>Fetal Alcohol Spectrum Disorders</u> before becoming licensed; and authorizing the State Board of Physicians to require licensees to complete continuing education requirements on Fetal Alcohol Spectrum Disorders.	2004	Assigned to Health and Government Operations 2/18/2004
MD	HB389	Requirements for Professionals	Requiring the State Superintendent of Schools and the Professional Standards and Teacher Education Board to require applicants for a teacher's certificate to complete a minimum number of semester hours covering <u>Fetal Alcohol Spectrum Disorders</u> and to determine the minimum number of specified semester hours required for a teacher's certificate; etc.	2005	Unfavorable report by Ways and Means 4/6/2005

State	Bill Number	Category	Description	Introduced	Status
<b>MN</b>	HF 2513 SF1969	Prevention and Intervention Services	On July 1 of each fiscal year, beginning July 1, 2004, \$1.19 million of the general fund appropriation to the commissioner of health for <u>fetal alcohol spectrum disorder</u> administration and grants shall be transferred to a statewide organization that focuses solely on prevention of and intervention with fetal alcohol spectrum disorder. The money shall be used for prevention and intervention services and programs, including, but not limited to, community grants, professional education, public awareness, and diagnosis.	2004	Enacted – date unknown (effective July 1, 2004)
<b>MO</b>	HB901	Prevention and Intervention Services	Creates the Fund for the Reduction of <u>Alcohol-Related Problems</u> .	2004	Last action – public hearing 4/6/2004
<b>MO</b>	HB 184	Prevention and Intervention Services	Creates the Fund for the Reduction of <u>Alcohol-Related Problems</u> and Underage Drinking to be administered by the State Treasurer.	2005	Referred to Ways and Means 4/11/2005
<b>MT</b>	HB 715	Prevention and Intervention Services	A Bill For An Act Entitled: “An Act Providing An Appropriation To The Department Of Public Health And Human Services For <u>Fetal Alcohol Syndrome Prevention</u> ; And Providing An Effective Date.”	2005	Effective July 1, 2005

State	Bill Number	Category	Description	Introduced	Status
MT	HB252	Prevention and Intervention Services	A Bill For An Act Entitled: "An Act Increasing Certain Taxes On Alcoholic Beverages; Providing That Increased Revenue From Taxes On Alcoholic Beverages Must Be Used By The Department Of Public Health And Human Services For The Prevention Of Or Treatment Of Effects Related To <u>Fetal Alcohol Syndrome</u> ; Amending Sections 16-1-401, 16-1-404, 16-1-406, 16-1-411, And 53-24-108, MCA; And Providing An Effective Date And An Applicability Date."	2005	Effective July 1, 2005
NV	HB307	Prevention and Intervention Services	Requires posting of signs in certain food establishments warning of risk of drinking alcoholic beverages during pregnancy and <u>merges Advisory Subcommittee on Fetal Alcohol Syndrome into Advisory Board on Maternal and Child Health.</u>	2003	Approved by Governor 5/28/2003
NV	SB281	General FASD Information	<u>"Fetal Alcohol Syndrome"</u> includes Fetal Alcohol Effects.	2003	Approved by Governor 5/26/2003

State	Bill Number	Category	Description	Introduced	Status
NV	SB296	Legal Affairs	Revises the provisions governing when a child is in need of protection because he is <u>affected by alcohol use</u> , illegal substance abuse, or has withdrawal symptoms resulting from prenatal drug exposure; providing a penalty; and providing other matters properly relating thereto. Revises provisions governing abuse or neglect of children – Amending 4032B.170 to allow sharing of information with other state and local agencies if the purpose of the sharing is for the development of a plan for care, treatment or supervision of a child who has been abused or neglected, or an infant who is born and has been affected by prenatal illegal substance abuse or has withdrawal symptoms resulting from <i>prenatal drug exposure</i> ....	2005	Amendments adopted 4/25/2005
NH	HB83	Prevention and Intervention Services	Requires that brochures related to family planning services, fetal alcohol syndrome, and human immunodeficiency virus be available to the public in the office of the town clerk. Also requires that the brochure related to <u>fetal alcohol syndrome</u> be available to the public in state liquor stores. Removes the requirement in current law that the clerk discuss the brochures with marriage license applicants and that they sign an affidavit confirming receipt of the brochures.	2005	Passed with amendment 4/6/2005

State	Bill Number	Category	Description	Introduced	Status
NH	HB383	General FASD Information	A completed fetal death report shall consist of the following medical information regarding the pregnancy including: (a) The medical risk factors for the pregnancy. (b) Any other risk factors, such as, but not limited to, tobacco or <u>alcohol use</u> ....	2005	Effective 1/1/2006
NJ	A.J.R 88	Prevention and Intervention Services	Designates September 9th of each year as " <u>Fetal Alcohol Syndrome Awareness Day</u> ."	2004	Assigned to Committee on Family, Women and Children's Services 2/19/2004
NM	House Joint Memorial 101	Prevention and Intervention Services	Requesting that the State of New Mexico recognize the issue of <u>Fetal Alcohol Syndrome</u> and endorse the viewing of "Gary and the Angels" to increase awareness of this syndrome and that State agencies work with private sector entities to take tangible steps to end Fetal Alcohol Syndrome.	2005	Introduced in the Senate Rules Committee on legislative day 43; no further action
NM	SB1022	Legal Affairs	Relating To Child Abuse; Establishing Drug Addiction And <u>Fetal Alcohol Syndrome As Child Abuse</u> ; Providing For Requirements Prior To Releasing Certain Children From State Custody; Amending Sections Of The NMSA 1978.	2005	Sent to Senate Judiciary Committee on legislative day 35; no further action
NM	SB190	Prevention and Intervention Services	Making General Appropriations And Authorizing Expenditures By State Agencies Required By Law – also appropriating funds for <u>Fetal Alcohol study</u> .	2005	Effective 3/17/2005

State	Bill Number	Category	Description	Introduced	Status
NM	Senate Memorial 13	Prevention and Intervention Services	WHEREAS, underage drinking is more likely to kill young people than all illegal drugs combined and can result in children born with <u>fetal alcohol syndrome</u> , NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that the public education department, the children, youth and families department and the department of health be requested to participate in campaigns to increase awareness of the problem of underage drinking in New Mexico.	2005	Signed on legislative day 49 by the officers of the Senate
NY	A02511	Legal Affairs	Amends definition of maltreated or neglected child to include children of alcohol or drug abusers who are unable to provide minimal care to the child or <u>where such parent used alcohol or drugs during pregnancy</u> resulting in the drug dependency of the child at birth.	2005	Referred to Children and Families Committee 1/26/2005
NY	A06925	Prevention and Intervention Services	Requires secondary schools to include within their health education course the medical and legal ramifications of <u>alcohol</u> , tobacco and other drug <u>use during pregnancy</u> .	2005	Referred to Education Committee 3/31/2005
NC	HB1118	Prevention and Intervention Services	An act to require <u>signs to be posted warning of the possible dangers of consumption of alcohol during pregnancy</u> .	2003	Enacted 7/20/2003
OR	SB1000	Prevention and Intervention Services	106.081. When the county clerk issues a marriage license or civil union license, the county clerk shall also give to the licensees a pamphlet describing the medical condition known as <u>fetal alcohol syndrome</u> , its causes and its effects.	2005	Public hearing held 5/4/2005



State	Bill Number	Category	Description	Introduced	Status
OR	HB2362	General FASD Information	As used in this section, 'children with severe emotional or mental disorders' means children who have been: (b) Diagnosed by a qualified mental health professional as having: ...Psychopathological symptoms related to <u>fetal exposure to alcohol</u> or controlled substances.	2005	Effective 3/11/2005
PA	HR855	Prevention and Intervention Services	Designating the month of September 2004 as "Alcohol and Drug Addiction Recovery Month" in Pennsylvania. WHEREAS, Addiction treatment prevents <u>fetal alcohol syndrome</u> and other addiction-related illness...RESOLVED, That the House of Representatives designate the month of September 2004 as "Alcohol and Drug Addiction Recovery Month" in Pennsylvania.	2004	Enacted 10/4/2004
PA	HR167	Prevention and Intervention Services	WHEREAS, Recommendations for a <u>healthy pregnancy</u> include prevention of infections such as rubella, not using prescription or over-the-counter medications without approval of a doctor and avoiding tobacco, <u>alcohol</u> and illicit substances; therefore be it RESOLVED, That the House of Representatives recognize the month of May 2005 as "Healthy Babies Month" in Pennsylvania and urge parents and prospective parents to contact the March of Dimes and allied health care organizations for literature on how to prepare themselves before conception and during pregnancy.	2005	Introduced as noncontroversial resolution under rule 35, March 24, 2005
RI	S2282	Prevention and Intervention Services	With each marriage license, the town or city clerk shall provide information describing the causes and effects of <u>fetal alcohol syndrome</u> .	2004	Enacted 6/29/2004

State	Bill Number	Category	Description	Introduced	Status
SC	S841 H4127 (to amend Section 1-1-110, Code of Law of South Carolina)	Legal Affairs	It is presumed that a newborn child is an abused or neglected child as defined in Section 20-7-490 and that the child cannot be protected from further harm without being removed from the custody of the mother upon proof that: (2) the child has a medical diagnosis of <u>fetal alcohol syndrome</u> ; and (3) a blood or urine test of another child of the mother or a blood or urine test of the mother at the birth of another child showed the presence of any amount of a controlled substance or a metabolite of a controlled substance unless the presence of the substance or the metabolite was the result of medical treatment administered to the mother of the infant or the infant, or (4) another child of the mother has the medical diagnosis of <u>fetal alcohol syndrome</u> .	2004	Adopted 3/23/2004
UT	HB 0268S0	Legal Affairs	§ 62A-4a-409 (1) The division shall make a thorough pre-removal investigation upon receiving either an oral or written report of alleged abuse, neglect, fetal alcohol syndrome, or fetal drug dependency, when there is reasonable cause to suspect a situation of abuse, neglect, fetal alcohol syndrome, or fetal drug dependency. The primary purpose of that investigation shall be protection of the child.	2004	Effective 7/1/2004

State	Bill Number	Category	Description	Introduced	Status
VA	SB314	Requirements for Professionals	Physicians, nurses, teachers, etc., to report certain injuries to children; penalty for failure to report. For purposes of subsection A, "reason to suspect that a child is abused or neglected" shall include...(iv) a diagnosis by an attending physician made within seven days of a child's birth that the child has <u>fetal alcohol syndrome attributable to in utero exposure to alcohol</u> . When "reason to suspect" is based upon this subsection, such fact shall be included in the report along with the facts relied upon by the person making the report. Any person required to file a report pursuant to this section who fails to do so within seventy-two hours of his first suspicion of child abuse or neglect shall be fined not more than \$500 for the first failure and for any subsequent failures not less than \$100 nor more than \$1,000.	2004	Enacted 1/29/2004
VA	HB2697	Legal Affairs	For purposes of subsection A, "reason to suspect that a child is abused or neglected" shall include a diagnosis by an attending physician made within seven days of a child's birth that the child has <u>fetal alcohol syndrome attributable to in utero exposure to alcohol</u> .	2005	Enacted, Chapter 928 (effective 7/1/2005)

State	Bill Number	Category	Description	Introduced	Status
VA	SB862	Requirements for Professionals	Requires any regular minister, priest, rabbi, or accredited practitioner to report suspected child abuse or neglect to a local department of social services or the Department of Social Services' toll-free child abuse and neglect hotline.  For purposes of subsection A, "reason to suspect that a child is abused or neglected" shall include...a diagnosis by an attending physician made within seven days of a child's birth that the child has <u>fetal alcohol syndrome</u> attributable to in-utero exposure to alcohol.	2005	Stricken at request of Sen. Patron in Committee on Rehabilitation and Social Services (15-Y, 0-N) 1/28/2005
WA	HB2093	Legal Affairs	A parent of a child, the person entrusted with the physical custody of a child or dependent person, or a person employed to provide to the child or dependent person the basic necessities of life is guilty of criminal mistreatment in the first degree: ...If a mother recklessly, as defined in RCW 9A.08.010, causes great bodily harm to her unborn quick child by the use of <u>alcohol</u> or any illicit drug....	2005	Read first time 2/17/2005; referred to Committee on Criminal Justice and Corrections
WI	AB955	Prevention and Intervention Services	With each declaration of domestic partnership, the county clerk shall provide a pamphlet describing the cause and effects of <u>fetal alcohol syndrome</u> .	2004	Failed to pass pursuant to Senate Resolution 1

The table below provides information on eight bills that use language such as “drug exposed” or “substance exposed.” It was

impossible to verify whether these bills pertain to alcohol. Therefore, it is unclear whether they apply to FASD.

State	Bill Number	Category	Description	Introduced	Status
AZ	SB1409 HB2782	Prevention and Intervention Services	"Section 1. Section 15-482, Arizona Revised Statutes, is amended to read: Special budget override provisions; special programs to improve academic achievement of pupils in kindergarten programs and grades one through three. The special program may be designed for any or all of the pupils enrolled in kindergarten programs and grades one through three and may involve efforts to remove barriers to academic achievement as well as efforts to improve instruction or increase the amount of instruction. The special program, at a minimum, shall focus on pupils who, because of innate factors, are not succeeding in the school environment as identified by parents, guardians or school personnel. These pupils may include, but are not limited to, those who do not qualify for special education services, who have measured intelligence quotients of between seventy and eighty-five or who exhibit characteristics of attention deficit disorder or learning patterns attributable to <u>prenatal substance exposure</u> .	2005	SB1409 – second reading; failed 2/01/2005 HB2782 - vetoed 5/9/05

State	Bill Number	Category	Description	Introduced	Status
CA	AB1092	Prevention and Intervention Services	<p>A description of California's policies and procedures that require the referral for early intervention services under this part of a child under three years of age who is either of the following:</p> <p>(A) Involved in a substantiated case of child abuse or neglect.</p> <p>(B) Identified as affected by illegal substance abuse or withdrawal symptoms resulting from <u>prenatal drug exposure</u></p>	2005	Amended in Assembly 5/2/2005
ME	LD 1919 §4004-B	Prevention and Intervention Services	<p>The department shall act to protect infants born identified as being affected by illegal substance abuse or suffering from withdrawal symptoms resulting from <u>prenatal drug exposure, whether or not the prenatal exposure was to legal or illegal drugs</u>, regardless of whether or not the infant is abused or neglected. The department shall:</p> <p>Receive reports, Investigate, determine if infant is affected, determine if infant is abused or neglected, develop plan for safe care, comply with section 4004.</p>	2004	Signed by the Governor 4/29/2004

State	Bill Number	Category	Description	Introduced	Status
ME	LD1919 §4011-B	Requirements for Professionals	<p>1. Reporting of infants with prenatal exposure to drugs. A health care provider involved in the delivery or care of an infant who the provider knows or has reasonable cause to suspect has been born affected by illegal substance abuse or is suffering from withdrawal symptoms resulting from prenatal drug exposure, whether or not the <u>prenatal exposure was to legal or illegal drugs</u>, shall notify the department of that condition in the infant. The report required by this subsection must be made in the same manner as reports of abuse or neglect required by this subchapter.</p> <p>A. This section, and any notification made pursuant to this section, may not be construed to establish a definition of "abuse" or "neglect."</p> <p>B. This section, and any notification made pursuant to this section, may not be construed to require prosecution for any illegal action, including, but not limited to, the act of exposing a fetus to drugs or other substances.</p>	2004	Signed by the Governor 4/29/2004

State	Bill Number	Category	Description	Introduced	Status
PA	HB209	Prevention and Intervention Services	Appropriates \$10, 000,000 to the Department of Health for fiscal year July 1, 2003 – June 30, 2004 to implement the ounce of prevention program established under the act. The act provided for the strengthening and enrichment of children and families by promoting safe, healthy and nurturing home environments. This element provides for ensuring that home visitors have basic training in areas, including, but not limited to, substance abuse, child abuse, domestic violence, <u>drug-exposed infants...etc.</u>	2003	Effective 2/11/2003
PA	SB.637	Legal Affairs	Before a child is placed with a prospective adoptive parent, the custodial agency shall provide the prospective adoptive parent of the child with a written report containing the following non-identifying information, if reasonably available:.... <u>Any drug or medication taken by the child's birth mother during pregnancy.</u>	2005	Referred to the Judiciary Committee 4/28/2005
PA	HB200	Requirements for Professionals	Provides for: ( i ) Ensuring that home visitors have basic training in areas, including substance abuse, child abuse, domestic violence, <u>drug exposed infants and parents....</u>	2005	Referred to Committee on Health and Human Services 2/16/2005



State	Bill Number	Category	Description	Introduced	Status
RI	H5740	Prevention and Intervention Services	Creating a special legislation to study the newly adopted provisions for early intervention under the federal disabilities education act of 2004, P.L. 108-446. The purpose of the commission shall be to study Part C of the individuals with Disabilities Education Act of 2004, P.L. 108-446 in order to recommend prospective changes and amendments to the current law and regulations necessary to incorporate the new provisions. The study should include language and provisions for infants and toddlers who are abused, neglected, <u>drug exposed</u> or have experienced family violence.	2005	Introduced 2/17/2005; referred to House Health, Education and Welfare Committee